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1 MICHAEL J. GEARIN (*admitted pro hac vice*)
 2 MICHAEL B. LUBIC (SBN 122591)
 3 MICHAEL K. RYAN (*admitted pro hac vice*)
 4 K&L GATES LLP
 5 10100 Santa Monica Boulevard, Seventh Floor
 6 Los Angeles, California 90067
 Telephone: 310.552.5000
 Facsimile: 310.552.5001
 Email: michael.gearin@klgates.com
 michael.lubic@klgates.com
 michael.ryan@klgates.com

7 Attorneys for California Public Employees'
 8 Retirement System

9 UNITED STATES BANKRUPTCY COURT
 10 EASTERN DISTRICT OF CALIFORNIA
 11 SACRAMENTO DIVISION

12 In re
 13 CITY OF STOCKTON, CALIFORNIA,
 14 Debtor.

Case No. 2012-32118 (CMK)

Chapter 9

**EXHIBIT 8.2 TO THE DIRECT
 TESTIMONY DECLARATION OF DAVID
 LAMOUREUX IN SUPPORT OF
 CALPERS' RESPONSE TO FRANKLIN'S
 OBJECTION TO CONFIRMATION OF
 THE CITY OF STOCKTON'S FIRST
 AMENDED PLAN OF ADJUSTMENT**

Date: May 12, 2014
 Time: 9:30 a.m.
 Place: Robert T. Matsui U.S. Courthouse,
 501 I Street
 Department C, Fl. 6, Courtroom 35
 Sacramento, CA 95814
 Judge: Hon. Christopher M. Klein

EXHIBIT 8.2

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**AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF STOCKTON**

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993 and May 13, 1993, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective May 13, 1993, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:
 - 1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.
 - 2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
 - 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members).
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).

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4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 supersedes this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975.
6. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
 - a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.
7. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21251.132 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at 55 Full and Modified).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21252.01 of said Retirement Law (2% at age 50 Full).
9. Public Agency elected to be subject to the following optional provisions:
 - a. Sections 21380-21387 (1959 Survivor Benefits) excluding Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits) for local safety members.
 - b. Sections 21263 and 21263.1 (Post-Retirement Survivor Allowance).

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- c. Section 21222.1 (Special 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - d. Section 20024.2 (One-Year Final Compensation).
 - e. Sections 21380-21387 (1959 Survivor Benefits) including Section 21382.2 (Increased 1959 Survivor Benefits) for local miscellaneous members only.
 - f. Section 21222.86 (Special 1% - 7% Increase) for or on behalf of those local miscellaneous members and local safety members who retired or died prior to July 1, 1974.
 - g. Section 20930.3 (Military Service Credit as Public Service), Statutes of 1976.
 - h. Section 20930.33 (Military Service Credit for Retired Persons).
 - i. Section 20862.8 (Credit for Unused Sick Leave) for local police members only.
10. Public Agency, in accordance with Government Code Section 20740, ceased to be an "employer" for purposes of Section 20759 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20759, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20759.
11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
12. Public Agency shall also contribute to said Retirement System as follows:
- a. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - b. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

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14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 12 day of MAY, 1994.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF STOCKTON

BY Malcolm K. Gibson
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY Joan Dorman
Presiding Officer

APRIL 25, 1994

Witness Date

APPROVED AS TO FORM
Date APR 21 1994

Samuel Thomasson
Deputy City Attorney

Attest:

James Hong
Clerk

PERS-CON-702 (AMENDMENT)
(Rev. 10/92)



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**AGREEMENT
TO POOL
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF STOCKTON**

WHEREAS, Government Code Section 21382.5 provides for a single employer rate to be established to provide benefits under said Section on account of members employed by contracting agencies electing to include the provision of said Section in their contracts; and

WHEREAS, Government Code Section 21382.5, requires pooling of all assets and liabilities of all contracting agencies subject to said Section;

NOW, THEREFORE BE IT AGREED, that assets and liabilities of the City of Stockton and its covered employees shall be pooled pursuant to the provisions of Government Code Section 21382.5.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF STOCKTON

BY *Kenneth W. Marzion*
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *[Signature]*
PRESIDING OFFICER

Date 1/30/97

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AGREEMENT
TO POOL
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF STOCKTON

WHEREAS, Government Code Section 21574 provides for a single employer rate to be established to provide benefits under said Section on account of members employed by contracting agencies electing to include the provision of said Section in their contracts; and

WHEREAS, Government Code Section 21574, requires pooling of all assets and liabilities of all contracting agencies subject to said Section;

NOW, THEREFORE BE IT AGREED, that assets and liabilities of the City of Stockton and its covered employees shall be pooled pursuant to the provisions of Government Code Section 21574.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF STOCKTON

BY *Kenneth W. Marzion*
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *[Signature]*
PRESIDING OFFICER

Date 6-4-97

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**AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF STOCKTON**

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993, May 13, 1993 and May 12, 1994, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective May 12, 1994, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:
 - 1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.
 - 2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
 - 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);

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- b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
- a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 supersedes this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
6. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
- a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.
7. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at 55 Full and Modified).

8. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
9. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 21571 (Basic Level of 1959 Survivor Benefits) for local police members only.
 - b. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
 - c. Section 21222.1 (Special 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - d. Section 20042 (One-Year Final Compensation).
 - e. Section 21572 (Increased Level of 1959 Survivor Benefits) for local miscellaneous members only.
 - f. Section 21326 (Special 1% - 7% Increase) for or on behalf of those local miscellaneous members and local safety members who retired or died prior to July 1, 1974.
 - g. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
 - h. Section 21027 (Military Service Credit for Retired Persons).
 - i. Section 20965 (Credit for Unused Sick Leave) for local safety members only.
 - j. Section 21382.5 (Fourth Level of 1959 Survivor Benefits) for local fire members only.
 - k. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) for local fire members only.
 - l. Section 21373 (Continuation of Death Benefits After Remarriage of Survivor) for local fire members only.

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- m. Section 20615.5 (9% Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period) for local fire members only.
- 10. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
- 11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
- 12. Public Agency shall also contribute to said Retirement System as follows:
 - a. Public Agency shall contribute \$8.50 per member, per month on account of the liability for the 1959 Survivor Benefits provided under Section 21382.5 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local fire members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
- 13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

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14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 1 day of March, 1997.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF STOCKTON

BY Kenneth W. Marzion
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY [Signature]
PRESIDING OFFICER

February 18, 1997

Witness Date

Attest:

[Signature]
for Clerk

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**AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF STOCKTON**

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993, May 13, 1993, May 12, 1994 and March 1, 1997, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective March 1, 1997, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);

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- b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
- a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 supersedes this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
6. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
- a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.
7. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at 55 Full and Modified).

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8. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
9. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 21571 (Basic Level of 1959 Survivor Benefits) for local police members only.
 - b. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
 - c. Section 21222.1 (Special 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - d. Section 20042 (One-Year Final Compensation).
 - e. Section 21326 (Special 1% - 7% Increase) for or on behalf of those local miscellaneous members and local safety members who retired or died prior to July 1, 1974.
 - f. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
 - g. Section 21027 (Military Service Credit for Retired Persons).
 - h. Section 20965 (Credit for Unused Sick Leave).
 - i. Section 21574 (Fourth Level of 1959 Survivor Benefits) for local miscellaneous members and local fire members only.
 - j. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) for local fire members only.
 - k. Section 21373 (Continuation of Death Benefits After Remarriage of Survivor) for local fire members only.
 - l. Section 20692 (9% Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period) for local fire members only.

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10. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
12. Public Agency shall also contribute to said Retirement System as follows:
 - a. Per covered member, \$8.50 per month, on account of the liability for the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local fire members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

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14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 24 day of JULY June, 19 97.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF STOCKTON

BY Kenneth W. Marzion
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY [Signature]
PRESIDING OFFICER

7/8/97
Witness Date

Attest:
[Signature]
Clerk

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**AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF STOCKTON**

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993, May 13, 1993, May 12, 1994, March 1, 1997 and June 24, 1997 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective June 24, 1997, and hereby replaced by the following paragraphs numbered 1 through 15 inclusive:
 - 1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.
 - 2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
 - 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);

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- b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
- a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
6. Assets heretofore accumulated with respect to fire and police members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
7. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
- a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.

8. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
10. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 21571 (Basic Level of 1959 Survivor Benefits) for local police members only.
 - b. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
 - c. Section 21222.1 (Special 5% Increase-1970). Legislation repealed said Section effective January 1, 1980.
 - d. Section 20042 (One-Year Final Compensation).
 - e. Section 21326 (Special 1%-7% Increase) for or on behalf of those local miscellaneous members and local safety members who retired or died prior to July 1, 1974.
 - f. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
 - g. Section 21027 (Military Service Credit for Retired Persons).
 - h. Section 20965 (Credit for Unused Sick Leave).
 - i. Section 21574 (Fourth Level of 1959 Survivor Benefits) for local miscellaneous members and local fire members only.
 - j. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) for local fire members only.
 - k. Section 21373 (Continuation of Death Benefits After Remarriage of Survivor) for local fire members only.

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1. Section 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period) for local miscellaneous members and local fire members only.
11. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
12. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
13. Public Agency shall also contribute to said Retirement System as follows:
 - a. Per covered member, \$3.50 per month on account of the liability for the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local fire members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
14. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

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15. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 1 day of DECEMBER, 19 97.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF STOCKTON

BY Kenneth W. Marzion
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY [Signature]
PRESIDING OFFICER

December 4, 1997
Witness Date

Attest:

Susan J. Blackste, Deputy
for Clerk

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97-0484

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION REQUESTING THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO EXTEND THE FUNDING PERIOD FOR CURRENT SERVICE ACTUARIAL LIABILITIES FOR THE CITY OF STOCKTON

WHEREAS, the City of Stockton is a contracting agency of the California Public Employees' Retirement System; and

WHEREAS, due to the adoption of the latest Memoranda of Understanding for public safety employees covered by the California Public Employees' Retirement System, the additional benefits provided in those Memoranda have required additional expenditures from the City's general fund which would impact the ability to continue current service levels unless the unfunded liability is prorated over a period of time consistent with other bargaining groups, and the City of Stockton has been advised by the Actuarial and Employer Services Division of the California Public Employees' Retirement System that the governing body may request an extension of the funding period for the safety plan for current service actuarial liabilities to June 30, 2016; and

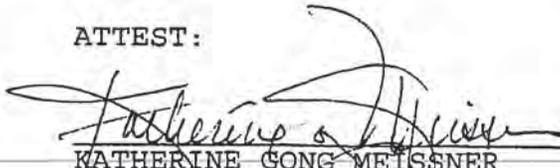
WHEREAS, the unfunded liability as of June 30, 1997, is Four Million Seven Hundred Sixty Thousand Six Hundred Nine Dollars (\$4,760,609); now, therefore,

BE IT RESOLVED THAT THE GOVERNING BODY OF THE CITY OF STOCKTON does request an extension of the funding period for the safety plan for current service actuarial liabilities to June 30, 2016, and further resolves to direct the City Clerk of the City of Stockton to forward a certified copy of this resolution to the California Public Employees' Retirement System.

PASSED, APPROVED and ADOPTED DEC 16 1997


GARY A. PODESTO, Mayor
of the City of Stockton

ATTEST:


KATHERINE GONG MEISSNER
City Clerk
of the City of Stockton

97-0484

CITY ATTY REVIEW chr

DEC 11 1997

DATE Exhibit 8 Page 301

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I, KATHERINE GONG MEISSNER, do hereby certify as follows:

I am the duly appointed, qualified City Clerk of the City of Stockton, a California municipal corporation; as such City Clerk, I am the custodian of the official records of the City Council of said City. The attached Resolution is a full, true, and correct copy of Resolution No. 97-0484 of said City Council, which was adopted by the City Council on December 16, 1997.

IN WITNESS WHEREOF, I have hereto affixed my hand and the seal of the City of Stockton on December 19, 1997.

**KATHERINE GONG MEISSNER, CITY CLERK
CITY OF STOCKTON**

By Cynthia Hong
Cynthia Hong, Deputy



Actuarial & Employer Services Division
 P.O. Box 942709
 Sacramento, CA 94229-2709
 Telecommunications Device for the Deaf - (916) 326-3240
 (916) 326-3420 FAX (916) 326-3005

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January 13, 1998

Employer # 55

Mr. George F. Bist
 Deputy Director / Employee Relations Officer
 City of Stockton
 City Hall Annex - 6 E. Lindsay Street
 Stockton, CA 95202-1997

Re: Funding Extension Approval for the Safety Plan

Dear Mr. Bist:

This is to inform you that your request to extend the funding horizon for the Safety Plan from 2000 to 2016 has been approved. The funding extension will be effective with the payroll period beginning February 1, 1998. The new employer rate information is based on the 6/30/95 Unfunded Liability of \$ 651,988 and estimated payroll of \$ 32,604,820 .

Rate is effective for Fiscal Year 1997 to 1998	
Funding Horizon	2016
Employer Contribution Rate due to	
Normal Cost	14.131%
Prior Service Unfunded	0.000%
Current Service Unfunded	1.074%
1959 Survivor Benefits	0.000%
Total Employer Contribution Rate	15.205%

Please keep in mind that CalPERS has made several changes that will help reduce employer rate fluctuations. One of the changes made adjusts the method currently being used to amortize the unfunded liability. For more detailed information, please refer to the Board Resolution No. ACT-96-05-E (a copy of which is enclosed) referring to the actuarial policies on amortization methods.

If you have any questions, please feel free to contact Leo Aguinaldo at (916)326-3424.

Sincerely,

Ron Seeling
 Chief Actuary

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**AGREEMENT
TO POOL
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF STOCKTON**

WHEREAS, Government Code Section 21574 provides for a single employer rate to be established to provide benefits under said Section on account of members employed by contracting agencies electing to include the provision of said Section in their contracts; and

WHEREAS, Government Code Section 21574, requires pooling of all assets and liabilities of all contracting agencies subject to said Section;

NOW, THEREFORE BE IT AGREED, that assets and liabilities of the City of Stockton and its covered employees shall be pooled pursuant to the provisions of Government Code Section 21574.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF STOCKTON

BY *Kenneth W. Marzion*
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *Lucretia*
PRESIDING OFFICER

Date FEB 09 1999

APPROVED AS TO FORM

CITY ATTORNEY
Jarment Thomasson
Deputy City Attorney

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**AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF STOCKTON**

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993, May 13, 1993, May 12, 1994, March 1, 1997, June 24, 1997 and December 1, 1997 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 15 are hereby stricken from said contract as executed effective December 1, 1997, and hereby replaced by the following paragraphs numbered 1 through 15 inclusive:
 - 1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.
 - 2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
 - 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);

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- b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
- a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
6. Assets heretofore accumulated with respect to fire and police members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
7. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
- a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.

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8. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
10. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
 - b. Section 21222.1 (Special 5% Increase-1970). Legislation repealed said Section effective January 1, 1980.
 - c. Section 20042 (One-Year Final Compensation).
 - d. Section 21326 (Special 1%-7% Increase) for or on behalf of those local miscellaneous members and local safety members who retired or died prior to July 1, 1974.
 - e. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
 - f. Section 21027 (Military Service Credit for Retired Persons).
 - g. Section 20965 (Credit for Unused Sick Leave).
 - h. Section 21574 (Fourth Level of 1959 Survivor Benefits).
 - i. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) for local fire members only.
 - j. Section 21551 (Continuation of Pre-Retirement Death Benefits After Remarriage of Survivor) for local fire members only.

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- k. Section 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period) for local miscellaneous members and local safety members.
11. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
 12. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
 13. Public Agency shall also contribute to said Retirement System as follows:
 - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
 14. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

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- 15. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 16th day of March, 1999.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF STOCKTON

BY *Louis McPartland Jr*
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *[Signature]*
PRESIDING OFFICER

02/12/99

Witness Date

APPROVED AS TO FORM

CITY ATTORNEY
BY *James P. Thomason*
Deputy City Attorney

Attest:

[Signature]
Clerk

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California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Stockton

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993, May 13, 1993, May 12, 1994, March 1, 1997, June 24, 1997, December 1, 1997 and March 16, 1999 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 15 are hereby stricken from said contract as executed effective March 16, 1999, and hereby replaced by the following paragraphs numbered 1 through 16 inclusive:
 - 1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.
 - 2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

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3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
6. Assets heretofore accumulated with respect to fire and police members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
7. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
 - a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.

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8. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
10. The percentage of final compensation to be provided for each year of credited prior and current service as a local police member shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full). The required member contribution rate is 9% of reportable compensation.
11. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
 - b. Section 21222.1 (Special 5% Increase-1970). Legislation repealed said Section effective January 1, 1980.
 - c. Section 20042 (One-Year Final Compensation).
 - d. Section 21326 (Special 1% to 7% Increase) for or on behalf of those local miscellaneous members and local safety members who retired or died prior to July 1, 1974).
 - e. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
 - f. Section 21027 (Military Service Credit for Retired Persons).
 - g. Section 20965 (Credit for Unused Sick Leave).
 - h. Section 21574 (Fourth Level of 1959 Survivor Benefits).
 - i. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage).

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- j. Section 21551 (Continuation of Pre-Retirement Death Benefits After Remarriage of Survivor) for local fire members only.
 - k. Section 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period) for local miscellaneous members and local safety members.
12. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
13. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
14. Public Agency shall also contribute to said Retirement System as follows:
- a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
15. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

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16. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 1st day of November, 2000.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF STOCKTON

BY Louis Michalareas Jr
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY [Signature]
PRESIDING OFFICER

9-22-2000

Witness Date

Attest:

[Signature]
Clerk



SACRAMENTO
MAILROOM - 8
01 NOV 16 11:43
PERSONNEL DEPARTMENT

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California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Stockton

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993, May 13, 1993, May 12, 1994, March 1, 1997, June 24, 1997, December 1, 1997, March 16, 1999 and November 1, 2000 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 16 are hereby stricken from said contract as executed effective November 1, 2000, and hereby replaced by the following paragraphs numbered 1 through 15 inclusive:
 - 1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.

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2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
6. Assets heretofore accumulated with respect to fire and police members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.

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7. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
 - a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.
8. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
10. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
 - b. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - c. Section 20042 (One-Year Final Compensation).
 - d. Section 21326 (One-Time 1% to 7% Increase For Local Miscellaneous Members and Local Safety Members Who Retired or Died Prior to July 1, 1974).
 - e. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
 - f. Section 21027 (Military Service Credit for Retired Persons).

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- g. Section 20965 (Credit for Unused Sick Leave).
 - h. Section 21574 (Fourth Level of 1959 Survivor Benefits).
 - i. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage).
 - j. Section 21551 (Continuation of Pre-Retirement Death Benefits After Remarriage of Survivor) for local fire members only.
 - k. Section 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period) for local miscellaneous members and local safety members.
 - l. Section 21335 (5% Cost-of-Living Allowance, base year 2001) for local miscellaneous members only.
11. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
12. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
13. Public Agency shall also contribute to said Retirement System as follows:
- a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

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- 14. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
- 15. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 16th day of December, 2001. *D.E.*

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF STOCKTON

BY *Kenneth W. Marzion*
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *James A. Collet*
PRESIDING OFFICER

Witness Date

Attest:

APPROVED AS TO FORM

CITY ATTORNEY
BY *James W. Thompson*
Deputy City Attorney

Richard J. ...
Clerk



California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Stockton

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993, May 13, 1993, May 12, 1994, March 1, 1997, June 24, 1997, December 1, 1997, March 16, 1999, November 1, 2000 and December 16, 2001 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 15 are hereby stricken from said contract as executed effective December 16, 2001, and hereby replaced by the following paragraphs numbered 1 through 15 inclusive:
 - 1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.

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2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
6. Assets heretofore accumulated with respect to members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.

7. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
 - a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.
8. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
10. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
 - b. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - c. Section 20042 (One-Year Final Compensation).
 - d. Section 21326 (One-Time 1% to 7% Increase For Local Miscellaneous Members and Local Safety Members Who Retired or Died Prior to July 1, 1974).
 - e. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
 - f. Section 21027 (Military Service Credit for Retired Persons).

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- g. Section 20965 (Credit for Unused Sick Leave).
 - h. Section 21574 (Fourth Level of 1959 Survivor Benefits).
 - i. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage).
 - j. Section 21551 (Continuation of Pre-Retirement Death Benefits After Remarriage of Survivor).
 - k. Section 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period) for local miscellaneous members and local safety members.
 - l. Section 21335 (5% Cost-of-Living Allowance, base year 2001) for local miscellaneous members only.
 - m. Section 20903 (Two Years Additional Service Credit).
11. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
12. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
13. Public Agency shall also contribute to said Retirement System as follows:
- a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

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- c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
- 14. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
- 15. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 16th day of March, 2002.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF STOCKTON

BY Lori Michastand for
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY [Signature]
PRESIDING OFFICER

3-12-02

Witness Date

Attest:

[Signature]
Clerk



APPROVED AS TO FORM
CITY ATTORNEY
BY [Signature]
Assistant City Attorney



California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Stockton

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993, May 13, 1993, May 12, 1994, March 1, 1997, June 24, 1997, December 1, 1997, March 16, 1999, November 1, 2000, December 16, 2001 and March 16, 2002 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 15 are hereby stricken from said contract as executed effective March 16, 2002, and hereby replaced by the following paragraphs numbered 1 through 16 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
6. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
7. Assets heretofore accumulated with respect to members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
8. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
 - a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.
9. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).

10. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
11. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
 - b. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - c. Section 20042 (One-Year Final Compensation).
 - d. Section 21326 (One-Time 1% to 7% Increase For Local Miscellaneous Members and Local Safety Members Who Retired or Died Prior to July 1, 1974). Legislation repealed said Section effective January 1, 2002.
 - e. Section 21024 (Military Service Credit as Public Service).
 - f. Section 21027 (Military Service Credit for Retired Persons).
 - g. Section 20965 (Credit for Unused Sick Leave).
 - h. Section 21574 (Basic Level of 1959 Survivor Benefits).
 - i. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage).
 - j. Section 21551 (Continuation of Pre-Retirement Death Benefits After Remarriage of Survivor).
 - k. Section 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period) for local miscellaneous members and local safety members.
 - l. Section 21335 (5% Cost-of-Living Allowance, base year 2001) for local miscellaneous members only.
 - m. Section 20903 (Two Years Additional Service Credit).

n. Section 20516 (Employees Sharing Cost of Additional Benefits):

Section 21362.2 (3% @ 50 Full formula) for local fire members.

The employee cost sharing contributions are not to exceed 14.078%. The maximum employee cost sharing contribution is the normal cost plus the increase in the accrued liability due to the benefit improvement amortized over 20 years. In no event shall the employee cost sharing contribution attributable to the unfunded liability remain in effect beyond December 16, 2021. Thereafter, in any given contribution year, the maximum employee cost sharing contribution cannot exceed 5.614% of payroll.

12. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
13. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
14. Public Agency shall also contribute to said Retirement System as follows:
 - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
15. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

16. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 1st day of October, 2012.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF STOCKTON

BY Karen DeFrank
KAREN DE FRANK, CHIEF
CUSTOMER ACCOUNT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY Ann Johnston
PRESIDING OFFICER

9.25.2012
Witness Date

Attest:

Bonnie Paige
Clerk



APPROVED AS TO FORM AND CONTENT

By [Signature]
City Attorney



2012-11-27-1602 P

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Stockton

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993, May 13, 1993, May 12, 1994, March 1, 1997, June 24, 1997, December 1, 1997, March 16, 1999, November 1, 2000, December 16, 2001, March 16, 2002 and October 1, 2012 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 16 are hereby stricken from said contract as executed effective October 1, 2012, and hereby replaced by the following paragraphs numbered 1 through 18 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members entering membership in the miscellaneous classification on or prior to the effective date of this amendment to contract, age 60 for local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract, age 50 for local police members and those local fire members entering membership in the fire classification on or prior to the effective date of this amendment to contract and age 55 for local fire members entering membership for the first time in the fire classification after the effective date of this amendment to contract.

2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney's fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
 - b. **ALL ELECTED OFFICIALS ELECTED INTO OFFICE ON OR AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO CONTRACT.**
6. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
7. Assets heretofore accumulated with respect to members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
8. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
 - a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.

9. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members entering membership in the miscellaneous classification on or prior to the effective date of this amendment to contract shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
10. The percentage of final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21353 of said retirement law (2% at age 60 Full).
11. The percentage of final compensation to be provided for each year of credited prior and current service as a local police member and as a local fire member entering membership in the fire classification on or prior to the effective date of this amendment to contract shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
12. The percentage of final compensation to be provided for each year of credited current service as a local fire member entering membership for the first time in the fire classification after the effective date of this amendment to contract shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).
13. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to the effective date of this amendment to contract.
 - b. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - c. Section 20042 (One-Year Final Compensation) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to the effective date of this amendment to contract.

- d. Section 21326 (One-Time 1% to 7% Increase For Local Miscellaneous Members and Local Safety Members Who Retired or Died Prior to July 1, 1974). Legislation repealed said Section effective January 1, 2002.
- e. Section 21024 (Military Service Credit as Public Service) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to the effective date of this amendment to contract.
- f. Section 21027 (Military Service Credit for Retired Persons) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to the effective date of this amendment to contract.
- g. Section 20965 (Credit for Unused Sick Leave) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to the effective date of this amendment to contract.
- h. Section 21574 (Fourth Level of 1959 Survivor Benefits).
- i. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to the effective date of this amendment to contract.
- j. Section 21551 (Continuation of Pre-Retirement Death Benefits After Remarriage of Survivor).
- k. Section 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to the effective date of this amendment to contract.
- l. Section 21335 (5% Cost-of-Living Allowance, base year 2001) for those local miscellaneous members entering membership on or prior to the effective date of this amendment to contract.
- m. Section 20903 (Two Years Additional Service Credit).

- n. Section 20516 (Employees Sharing Cost of Additional Benefits): Section 21362.2 (3% @ 50 Full formula) effective December 16, 2001 for those local fire members entering membership on or prior to the effective date of this amendment to contract.

The employee cost sharing contributions are not to exceed 14.078%. The maximum employee cost sharing contribution is the normal cost plus the increase in the accrued liability due to the benefit improvement amortized over 20 years. In no event shall the employee cost sharing contribution attributable to the unfunded liability remain in effect beyond December 16, 2021. Thereafter, in any given contribution year, the maximum employee cost sharing contribution cannot exceed 5.614% of payroll.

- o. Section 20475 (Different Level of Benefits). Section 21353 (2% @ 60 Full formula), Section 20037 (Three-Year Final Compensation) and Section 21329 (2% Cost-of-Living Allowance) without Sections 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period), 20965 (Credit for Unused Sick Leave), 21024 (Military Service Credit as Public Service), 21027 (Military Service Credit for Retired Persons), 21624 & 21626 (Post-Retirement Survivor Allowance) and 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

Section 21363.1 (3% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) without Sections 20516 (Employees Sharing Cost of Additional Benefits), 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period), 20965 (Credit for Unused Sick Leave), 21024 (Military Service Credit as Public Service), 21027 (Military Service Credit for Retired Persons), 21624 & 21626 (Post-Retirement Survivor Allowance) and 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) are applicable to local fire members entering membership for the first time in the fire classification after the effective date of this amendment to contract.

14. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
15. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
16. Public Agency shall also contribute to said Retirement System as follows:
 - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
17. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

18. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 28th day of December, 2012.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF STOCKTON

BY Karen DeFrank
KAREN DE FRANK, CHIEF
CUSTOMER ACCOUNT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY Ann Johnston
PRESIDING OFFICER

12-5-12
Witness Date

ATTEST:
BONNIE L. PAIGE
CLERK OF THE CITY OF STOCKTON

By [Signature]



APPROVED AS TO FORM AND CONTENT
By [Signature]
City Attorney



California
Public Employees' Retirement System



AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Stockton



2015-07-16-1602 A

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982, January 1, 1993, May 13, 1993, May 12, 1994, March 1, 1997, June 24, 1997, December 1, 1997, March 16, 1999, November 1, 2000, December 16, 2001, March 16, 2002, October 1, 2012 and December 28, 2012 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 18 are hereby stricken from said contract as executed effective December 28, 2012, and hereby replaced by the following paragraphs numbered 1 through 18 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members entering membership in the miscellaneous classification on or prior to December 28, 2012, age 60 for local miscellaneous members entering membership for the first time in the miscellaneous classification after December 28, 2012, age 50 for local police members and those local fire members entering membership in the fire classification on or prior to December 28, 2012 and age 55 for local fire members entering membership for the first time in the fire classification after December 28, 2012.

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2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973; AND**
 - b. **ALL ELECTED OFFICIALS ELECTED INTO OFFICE ON OR AFTER DECEMBER 28, 2012.**
6. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
7. Assets heretofore accumulated with respect to members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
8. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
 - a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.
9. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members entering membership in the miscellaneous classification on or prior to December 28, 2012 shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).

10. The percentage of final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after December 28, 2012 shall be determined in accordance with Section 21353 of said retirement law (2% at age 60 Full).
11. The percentage of final compensation to be provided for each year of credited prior and current service as a local police member and for those local fire members entering membership in the fire classification on or prior to December 28, 2012 shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
12. The percentage of final compensation to be provided for each year of credited current service as a local fire member entering membership for the first time in the fire classification after December 28, 2012 shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).
13. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for first tier classic local miscellaneous members and first tier classic local fire members entering membership on or prior to December 28, 2012 and for local police members entering the retirement system on or prior to the effective date of this amendment to contract.
 - b. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - c. Section 20042 (One-Year Final Compensation) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to December 28, 2012.
 - d. Section 21326 (One-Time 1% to 7% Increase For Local Miscellaneous Members and Local Safety Members Who Retired or Died Prior to July 1, 1974). Legislation repealed said Section effective January 1, 2002.
 - e. Section 21024 (Military Service Credit as Public Service) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to December 28, 2012.
 - f. Section 21027 (Military Service Credit for Retired Persons) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to December 28, 2012.
 - g. Section 20965 (Credit for Unused Sick Leave) for first tier classic local miscellaneous members and first tier classic local fire members entering membership on or prior to December 28, 2012 and for local police members entering the retirement system on or prior to the effective date of this amendment to contract.

- h. Section 21574 (Fourth Level of 1959 Survivor Benefits).
- i. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) for first tier classic local miscellaneous members and first tier classic local fire members entering membership on or prior to December 28, 2012 and for local police members entering the retirement system on or prior to the effective date of this amendment to contract.
- j. Section 21551 (Continuation of Pre-Retirement Death Benefits After Remarriage of Survivor).
- k. Section 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period) for local police members and for those local miscellaneous members and local fire members entering membership on or prior to December 28, 2012.
- l. Section 21335 (5% Cost-of-Living Allowance, base year 2001) for those local miscellaneous members entering membership on or prior to December 28, 2012.
- m. Section 20903 (Two Years Additional Service Credit).
- n. Section 20516 (Employees Sharing Cost of Additional Benefits):

Section 21362.2 (3% @ 50 Full formula) effective December 16, 2001 for those local fire members entering membership on or prior to December 28, 2012.

The employee cost sharing contributions are not to exceed 14.078%. The maximum employee cost sharing contribution is the normal cost plus the increase in the accrued liability due to the benefit improvement amortized over 20 years. In no event shall the employee cost sharing contribution attributable to the unfunded liability remain in effect beyond December 16, 2021. Thereafter, in any given contribution year, the maximum employee cost sharing contribution cannot exceed 5.614% of payroll.
- o. Section 20475 (Different Level of Benefits), Section 21353 (2% @ 60 Full formula), Section 20037 (Three-Year Final Compensation) and Section 21329 (2% Cost-of-Living Allowance) without Sections 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period), 20965 (Credit for Unused Sick Leave), 21024 (Military Service Credit as Public Service), 21027 (Military Service Credit for Retired Persons), 21624 & 21626 (Post-Retirement Survivor Allowance) and 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after December 28, 2012.

Section 21363.1 (3% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) without Sections 20516 (Employees Sharing Cost of Additional Benefits), 20692 (Employer Paid Member Contributions Converted to Payrate During the Final Compensation Period), 20965 (Credit for Unused Sick Leave), 21024 (Military Service Credit as Public Service), 21027 (Military Service Credit for Retired Persons), 21624 & 21626 (Post-Retirement Survivor Allowance) and 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) are applicable to local fire members entering membership for the first time in the fire classification after December 28, 2012.

Sections 21624 and 21626 (Post-Retirement Survivor Allowance), Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage) and Section 20965 (Credit for Unused Sick Leave) are not applicable to local police members entering the retirement system after the effective date of this amendment to contract.

14. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
15. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
16. Public Agency shall also contribute to said Retirement System as follows:
 - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

- 17. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
- 18. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 16 day of August, 2013.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF STOCKTON

BY Karen DeFrank
KAREN DE FRANK, CHIEF
CUSTOMER ACCOUNT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY [Signature]
PRESIDING OFFICER

September 11, 2013
Witness Date

Attest:

Bonnie Paige
Clerk



APPROVED AS TO FORM AND CONTENT

By [Signature]
City Attorney